

TERRAIN

Castle Rock, Colorado

Planned Development Zoning Regulations

Approved: _____, 2015

**ARTICLE 1
GENERAL PROVISIONS**

1.1 Adoption/Authorization. The Town Council has adopted the Terrain Planned Development Plan and Planned Development Zoning Regulations pursuant to Chapter 17.34 of Title 17 of the Castle Rock Municipal Code after appropriate public notice and hearing.

1.2 Applicability. The Terrain Planned Development Plan and Planned Development Zoning Regulations shall run with the Property and bind all landowners of record, their successors, heirs, or assigns in interest to the Property or any portion thereof.

1.3 Effect of Castle Oaks PD. The Property comprises a portion of the former Castle Oaks Preliminary PD Site Plan Amendment No. 1 and Castle Oaks Planned Development Zoning Regulations, as amended (collectively, "Castle Oaks PD"). The Terrain Planned Development Plan and these Planned Development Zoning Regulations are intended to, and do, supersede and replace the Castle Oaks PD in its entirety with respect to the Property and the Castle Oaks PD is of no further force or effect with respect to the Property.

1.4 Maximum Level of Development. The maximum residential density approved for development within the established Land Use Designations as set forth in the Terrain Planned Development Plan is the maximum allowed for platting and development. The actual density approved for development will be determined at the Site Development Plan/Plat stage of review based upon environmental constraints, utility and street capacity, compatibility with surrounding land uses, and other relevant factors.

1.5 Relationship to Town Regulations. All Town ordinances and regulations of general applicability within the Town, as defined in Section 10.03(b) of the Development Agreement, as the same may be amended from time to time, will apply to and be enforceable within the Property and such Town ordinances and regulations will govern and control over any conflicting provisions in these Planned Development Zoning Regulations.

1.6 Phasing. The phasing order indicated in the Terrain Planned Development Plan is advisory in nature and is not to be construed as obligatory upon the developer of the subject portion of the Property.

1.7 Development Agreement. In addition to these Planned Development Zoning Regulations, certain provisions of the development of the Terrain Planned Development Plan are controlled by that certain Terrain Development Agreement between the Town of Castle Rock and the landowner/developer of the subject property, adopted by the Town on the _____ day of _____, 2015, by Ordinance No. 2015-_____.

ARTICLE 2 DEFINITIONS

2.1 Definitions.

(a) Architectural Review Committee (ARC). That group of owners within the property subject to the Terrain Planned Development Plan and designated professionals that are designated in accordance with the Conditions Covenants and Restrictions (CC&R's) to review and approve any and all building and/or modifications to same in the Castle Oaks PD, prior to construction.

(b) Common Area Maintenance Agreement (CAMA). That certain agreement for Operation and Maintenance of Common Areas of the Property between the owners and the occupants hereto which encumbers the site and is recorded concurrently the Covenants, Conditions and Restrictions (CC&R's) (pertains to any commercial/retail (IB) portion of the MF-IB Land Use Designation).

(c) Development Agreement. That certain development agreement referenced in Section 1.7.

(d) Land Use Designations. The Land Use Designations are described in Article 4. Each Land Use Designation is comprised of a number of Planning Areas as graphically depicted on the Terrain Planned Development Plan.

(e) Property. The real property depicted in, and subject to, the Terrain Planned Development Plan.

(f) Village. Each of those certain distinct neighborhood areas as identified as a "Village" and graphically depicted on the Terrain Planned Development Plan. Each Village is comprised of Planning Areas, which of which has an associated Land Use Designation as graphically depicted on the Terrain Planned Development Plan.

ARTICLE 3 CONTROL PROVISIONS

3.1 Planning Area Boundaries. There shall be some limited flexibility in determining the exact location of Planning Area boundaries as depicted on the Terrain Planned Development Plan due to the scale of the drawing and the diagrammatic depiction of Planning Areas; a 20 percent acreage change or adjustment to Planning Area boundaries may be made in connection with Site Development Plan/Plat approval.

3.2 Road Alignments. The Terrain Planned Development Plan is intended to depict general locations of roadways. Recognizing that final road alignments are subject to engineering studies, minor road realignments of arterial and collector streets are expected, and can be accomplished by the developer through the platting process, without any amendment to Terrain Planned Development Plan or these Planned Development Zoning Regulations. Major road alignments, as determined by the Town of Castle Rock Community Development Director, shall follow the PD amendment procedure as provided in the Town of Castle Rock Zoning Code.

3.3 Maximum Residential Density.

(a) Maximum Planning Area Density. With respect to maximum residential density of individual Planning Areas (expressed in the Terrain Planned Development Plan as maximum dwelling units per gross acre), the maximum residential density permitted in any individual Planning Area is (i) set forth in the Terrain Planned Development Plan; (ii) is based on the Land Use Designation for such Planning Area as set forth in these Planned Development Zoning Regulations; and (iii) is the average maximum density for the applicable Planning Area, and shall not be specifically applicable to any portion thereof.

(b) Maximum Village Dwelling Units. The Terrain Planned Development Plan sets forth a maximum number of dwelling units permitted in each Village within the Terrain Planned Development Plan.

3.4 Planning Area Density Increases. The maximum number of dwelling units in any Planning Area (calculated as the result of the platted acreage of the subject Planning Area multiplied by the maximum dwelling units per gross acre of the Planning Area) may increase by up to 10 percent as may be approved in connection with Site Development Plan/Plat approval; provided, however, in no event shall the maximum permitted number of dwelling units in any Village exceed the maximum therefor set forth in the Terrain Planned Development Plan.

ARTICLE 4 LAND USE DESIGNATIONS

4.1 R-SF.

(a) Intent. Single-family detached dwelling units having the lowest density of the residential Land Use Designations within the Property, and comprising three subcategories (Estate, Large Lot and R-SF) each having a different maximum density.

(b) Development Standards. R-SF development standards are as set forth in the Terrain Planned Development Plan.

(c) Permitted Uses.

(i) Single-family detached dwelling units.

(ii) Public parks, playgrounds, open space, and recreation areas including structures and facilities associated with the primary use, including, but not limited to the following: sports fields and courts; trails, walkways and paths; picnic areas, tables, either covered or uncovered; swimming pools; and tennis courts.

(iii) Local and collector roadways, either public or private.

(iv) Private recreational and park uses, and facilities, including, but not limited to tennis courts, swimming pools, and jogging, riding and bike trails.

(v) Temporary residential sales offices; construction offices; trailers and storage areas; and model home complexes.

(vi) Community information center and kiosks.

(vii) Utilities and appurtenant facilities.

(viii) Signage as permitted by the Town of Castle Rock Municipal Code.

(d) Accessory Uses.

(i) Detached private garages.

(ii) Home occupations.

(iii) Solar collection devices.

(iv) Open space and ponds to include storm water drainage detention areas.

(v) Sheds.

(e) Special Review Uses.

(i) Churches and other religious institutions.

(ii) Day care centers including in-home day care.

(iii) Public and quasi-public facilities.

(iv) Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Development Services.

4.2 R-SFA.

(a) Intent. A mix of single-family attached (up to two attached units) and detached dwelling units, including without limitation, two-plex structures, duplexes, paired homes, cluster homes and patio homes.

(b) Development Standards.

(i) R-SFA development standards are as set forth in the Terrain Planned Development Plan.

(ii) A private drive may be shared by two dwelling units; the specification for the construction of any such private drive shall meet all applicable Town of Castle Rock design standards with respect to pavement and base course depth.

- (c) Permitted Uses.
 - (i) All permitted uses allowed in the R-SF Land Use Designation.
 - (ii) Attached single-family dwelling units limited to two-plex structures, such as duplexes, paired homes and two-dwelling unit townhome structures.
- (d) Accessory Uses.
 - (i) All accessory uses allowed in the R-SF Land Use Designation.
 - (ii) Detached private garages.
 - (iii) Off-street parking.
- (e) Special Review Uses.
 - (i) All special review uses allowed in the R-SF Land Use Designation.
 - (ii) Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Development Services.

4.3 R-TH-SF.

- (a) Intent. A mix of residential product types having a higher density than the R-SFA Land Use Designation, including cluster homes, patio homes, paired homes, townhomes and multi-plex structures.
- (b) Development Standards.
 - (i) R-TH-SF development standards are as set forth in the Terrain Planned Development Plan.
 - (ii) A private drive may be shared by up to three dwelling units; the specification for the construction of any such private drive shall meet all applicable Town of Castle Rock design standards with respect to pavement and base course depth.
- (c) Permitted Uses.
 - (i) All permitted uses allowed in the R-SFA Land Use Designation.
 - (ii) Attached single-family dwelling units, including without limitation, townhomes, row homes and multi-plex residential structures.
- (d) Accessory Uses. All accessory uses allowed in the R-SFA Land Use Designation.

(e) Special Review Uses.

(i) All special review uses allowed in the R-SFA Land Use Designation.

(ii) Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Development Services.

4.4 R-MF.

(a) Intent. A mix of residential product types, including multi-family dwelling units, having the highest density of the residential Land Use Designations.

(b) Development Standards. R-MF development standards are as set forth in the Terrain Planned Development Plan.

(c) Permitted Uses.

(i) All permitted uses allowed in the R-TH-SF Land Use Designation.

(ii) Multi-family attached dwellings units, along with common area and common elements available for common use by the residents.

(iii) Assisted living and/or nursing home facility offering personalized assistance, supportive services and health care in a professionally managed group living environment. The facility shall include private living quarters as well as centralized care and common areas. Dietary services, housekeeping and laundry services, personal care, medication assistance, nursing services and social and recreational activities shall be provided to the residents.

(d) Accessory Uses. All accessory uses permitted in the R-TH-SF Land Use Designation.

(e) Special Review Uses.

(i) All special review uses permitted in the R-TH-SF Land Use Designation.

(ii) Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Development Services.

4.5 MF/IB.Intent. Mixed-use development including multi-family residential and/or retail and commercial uses.

(b) Permitted Uses.

(i) All permitted uses allowed in the R-MF Land Use Designation, excluding single-family attached dwelling units.

(ii) Automobile parking lots.

(iii) Automobile repair garage and/or convenience service station provided that wrecked, junked or abandoned motor vehicles shall not be stored on the property.

(iv) Automobile sales and service.

(v) Bakery; up to 20 percent wholesale.

(vi) Banks/financial institutions.

(vii) Catering services.

(viii) Clinics.

(ix) Clubs, lodges and service organization.

(x) Confectionery shop.

(xi) Fine arts gallery and/or fine arts studio.

(xii) Government and public facilities.

(xiii) Hospital/health care park.

(xiv) Hotel/motel.

(xv) Indoor/outdoor recreation facilities.

(xvi) Laboratory except those which involve any hazardous process or emit noxious noise, dust and odor.

(xvii) Laundry, coin-operated; collection station.

(xviii) Museum.

(xix) Offices.

(xx) Personal service shops, such as barber, beauty parlor.

(xxi) Pharmacy.

(xxii) Post office.

- (xxiii) Printing/copy shops.
 - (xxiv) Private/public schools.
 - (xxv) Public utilities.
 - (xxvi) Repair, rental, service of any item retailed in the MF/IB district
 - (xxvii) Restaurants, cafes and other places serving food and beverages.
 - (xxviii) Retail business stores.
 - (xxix) Supermarket.
 - (xxx) Studios, including television and radio broadcasting stations, but excluding antenna towers and microwave dishes.
 - (xxxi) Tailoring.
 - (xxxii) Theaters.
 - (xxxiii) Upholstering.
 - (xxxiv) Utilities offices.
- (c) Accessory Uses.
- (i) All accessory uses permitted in the R-MF Land Use Designation.
 - (ii) Any use that is clearly incidental and customary to and commonly associated with the operation of the associated use by right, as determined by the Director of Development Services.
- (d) Special Review Uses.
- (i) All special review uses allowed in the R-MF Land Use Designation.
 - (ii) Ambulance Service.
 - (iii) Caretaker's residence.
 - (iv) Child care centers.
 - (v) Churches, synagogues, places of worship.
 - (vi) Small animal clinics.
 - (vii) Mortuary.

- (viii) Radio and television antenna towers.
- (ix) Single-family attached dwelling units.
- (x) Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Development Services.

4.6 Open Space Areas.

(a) Definitions.

(i) OSP: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.

(ii) OSD: Land proposed to the PD open space requirements and proposed to be dedicated to the Town of Castle Rock for public use.

(iii) PLD: Land dedicated to meet the land dedication requirements of the Subdivision Regulations (Title 16) of the Town of Castle Rock Municipal Code.

(b) Permitted Uses. Parks, schools and other public uses; active and passive recreation activities; preservation of land for public purposes; and including such structures and other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances of the Town of Castle Rock.

**ARTICLE 5
DEVELOPMENT STANDARDS**

5.1 Overall Project Standards. The development standards of the Town of Castle Rock Zoning Code, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes, shall apply to the Property, except as modified by the Terrain Planned Development Plan or this Article 5.

5.2 Residential Development Standards. Residential development standards (density, building height and setbacks) are set forth in the Terrain Planned Development Plan.

5.3 Non-Residential Development Standards.

Maximum Floor Area Ratio (F.A.R.)	0.35
Minimum Setbacks (building & parking)	N/A
Front - from Highway 86	60 feet
Front - from internal collector road	40 feet
Side/rear from property boundary	20 feet

Maximum Building Height	60 feet
Maximum Building Coverage	35%

(a) Architectural Standards.

(i) In order to ensure an architecturally compatible and unified development, the type and design of each building, now or in the future, shall be of first quality construction and architecturally designed so that its exterior elevation (including signs) and color will be structurally and aesthetically compatible and harmonious with all other buildings within the Terrain Planned Development Plan.

(ii) Prior to construction of any building or modification of same, an Architectural Review Committee (ARC) must first review and approve appearance and character of said building(s).

(b) Common Area.

(i) The Common Area is hereby reserved for the sole and exclusive use of the owners, occupants and their respective permittees. The Common Area may be used for vehicular driving and parking areas, pedestrian traffic, directional signs, walkways, perimeter walls, retaining walls, fences, parking lot lighting, utilities, landscaping and for the other uses specified herein.

(ii) Unless otherwise' authorized in writing by the ARC, no building or structures shall be placed or constructed on the Common Area except project entry, marketing and directional signs, paving, bumper guards, parking curbs, landscape planters, lighting fixtures, perimeter walls and fences, utility pads, sidewalks, retaining walls and to the extent that they do not impede access to the rear or sides of buildings, trash enclosures (with all trash being hidden from view from the parking areas).

(iii) The Common Area shall be constructed in accordance with the Development Agreement and the Terrain Planned Development Plan and shall be kept and maintained as provided for in a CAMA.

(iv) The sizes and arrangements of the Common Area improvements, including without limitation, access and service drives, striping, traffic directional indicators, signs, concrete bumpers, parking lot lighting, perimeter wall and fences, retaining walls and landscaped areas together with the necessary planning may not be changed without the written approval of the consenting owners.

(v) No access lane or parking area on the site shall be altered without the consent of the owner(s).

5.4 Private Recreational Facility, Public Parks and Open Space Development Standards.

Maximum Building Height:	35 feet
Minimum Setbacks:	
Minimum front setback for structures:	25 feet
Minimum side setback for structure:	15 feet
Minimum rear setback for structure:	20 feet
Minimum setback for parking:	15 feet

5.5 Fencing Standards. Perimeter fencing, constructed of masonry or wood or other acceptable materials, shall be permitted provided such fencing is in conformance with applicable Town of Castle Rock Zoning Code at the time of Site Development Plan approval and must conform with the design guidelines established for Terrain. Fences may be used for the purposes of providing project identification, earth retaining, property delineation along right-of-way and ownership lines, and visual screening of proposed development such as parking areas.

(b) Fences, walls or hedges shall be allowed within the building setbacks, on private land. A building permit is required for any retaining wall greater than four (4) feet in height.

(c) Chain link fencing, barbed or above ground electrically charged wire is prohibited.

5.6 Lighting Standards.

(a) In residential areas, no exterior lights of any sort may be erected, placed installed or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to, entry lights, garage lights, driveway illumination, and interior lights visible from off the property. This standard is not intended to apply to public street lighting.

(b) Lighting will be permitted at each of the primary entry areas with the purpose of illuminating the entry signage and associated entry features, such as entry walls, entryway landscaping, etc. Lighting is to be in conformance with applicable Town of Castle Rock Zoning Code at the time of approval of the Site Development Plan.

(c) Exterior lighting designs for individual business establishments shall be reviewed and approved by an Architectural Review Committee. Such lighting shall be in conformance with applicable Town of Castle Rock Zoning Code at the time of approval of the Site Development Plan.

(d) Lighting shall be permitted in the parking areas to illuminate vehicular and pedestrian traffic movement.

(e) Landscape accent lighting shall be permitted in all areas of Property to the extent that it is in conformance with applicable Town of Castle Rock Zoning Code at the time of approval of the Site Development Plan and is approved by an Architectural Review Committee.

ARTICLE 6 TEMPORARY USES

6.1 Temporary Uses. Single family, townhome, multi-family and/or model home complexes may be used as models and/or sales and information offices in those Land Use Designations where they are a permitted use; provided, however, that the use will cease within 120 days after all similar dwelling units have been rented, leased, or sold.

(b) Construction offices and material storage shall be permitted in all Land Use Designations during and for a period of 120 days after cessation of actual construction in those areas being served by such construction office or material storage area.

(c) Mobile sales and information units provided that:

(i) Such temporary structure is located within a Plat.

(ii) Sales are limited to those units within the subdivision in which the temporary office is located.

(iii) Adequate access, parking, and sanitary facilities are provided.

(iv) No such unit shall remain more than 120 days after the last lot or unit is sold in the subject subdivision.

ARTICLE 7 SITE DEVELOPMENT PLANS AND PLATS

7.1 No structural building permit will be issued for any portion of the Property until a Site Development Plan/Plat has been approved for such portion of the property by the Town Council.

ARTICLE 8 TRANSITIONAL USE

8.1 After approval of the Terrain Planned Development Plan incorporated herein by reference, any portion of the Property which has not been subject to a Site Development Plan may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry, or hog farms be permitted.

8.2 Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Site Development Plan/Plat for such area or areas has been approved.

**ARTICLE 9
SEVERABILITY OF PROVISIONS**

9.1 In the event that any provisions hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.